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Colonel Cooper

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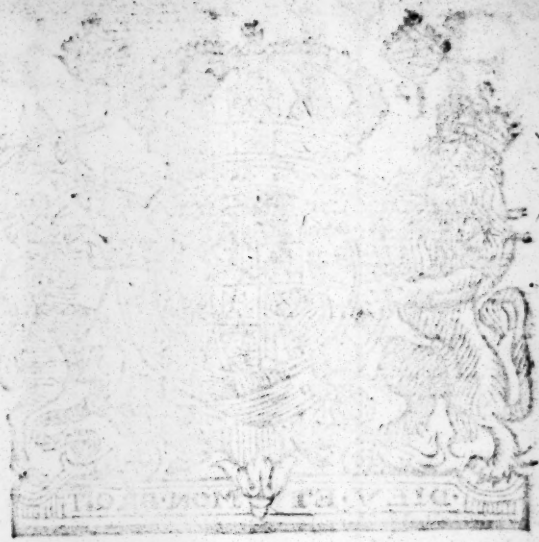

I Do order and appoint *William Winter*, of the City of *Dublin*, Stationer, to Print and Publish *The Rules and Orders of the High Court of Chancery in Ireland*; and that no other Perſon do Print the ſame.

Dated the 11*th. of* November, 1685.

MICH. ARMACH. C.

RULES AND ORDERS

Appointed to be

USED and OBSERVED

IN THE

HIGH COURT of CHANCERY

IN

IRELAND,

For preventing any Abuſes in the ſaid Court, Multiplicity of Suits, Motions, and Unneceſſary Charges to the Suitors; And for their more expeditious and certain Courſe of Relief.

By His Grace MICHAEL Lord Archbiſhop of *Armagh*, Primate and Metropolitan, and Lord High Chancellor of all *Ireland*.

DUBLIN, Printed for *Will. Winter*, Bookſeller, at the Lord Primate's Head on *Colledg-green*, 1685.

Who makes and ſells the beſt Ink for Records.

RULES

AND

ORDERS

TO BE

OBSERVED

IN THE

COURT OF CHANCERY

IN

IRELAND,

For preventing any Abuse in the said Court, Multiplicity of Suits, Delays, and Unnecessary Charges to the Suitors. And for their more expeditious and certain Course of Relief.

By His Grace MICHAEL Lord Archbishop of Armagh, Primate and Metropolitan, and Lord High Chancellor of all Ireland.

DUBLIN, Printed for WILLIAM Walker, Bookseller at the Lord Primate's Head on College-green, 1685.

Who makes and sells the best Ink for Records.

Printed for, and sold by *W. Winter* at His Grace the Lord Primate's Head upon *Colledge-green.*

SIR *Richard Bolton*'s Rules for a Grand Juror, *&c*, Or, Articles given in Charge to, and enquired of, by the Grand Jury in the General or Quarter Sessions of the Peace, in 4.

Rules and Orders of the High Court of Chancery in *Ireland* in 8.

Orders of keeping Court Leet and Court Baron in *Ireland*

The Interest of *Ireland* in its Trade and Wealth Stated, in 2 parts, by *R. Lawrence*, Esq; in 8.

A Judgment of the Comet first Generally Visible to us in *Dublin, Decemb.* 13. 1680. by a Person of Quality, in 4.

Foxes and Firebrands, Or, a Specimen of the Danger and Harmony of Popery and Separation, in 2 parts 8.

Penal Bills for payment of Mony.

Bonds for payment of Mony, single or double.

Warrants

Warrants for Confeſſing of Judgments upon ſuch Bonds, ſingle or double.

Bonds and Warrants for Counter Securities, ſingle or double.

Indentures fot Apprentices, and Bonds for the performance of the Indentures.

Indentures for Apprentices for Foreign Plantations, &c.

Gifts of the Judges Circuits.

Proceſſes for the ſeveral Circuits, with Teſtificandums, &c.

Letters of Attorney, with or without Revocation.

Bonds of Arbitration, &c.

General Releaſes, &c.

Moſt Sorts of Stationary Ware to be ſold, *viz.* Quills or Penns, Writing Paper of moſt ſorts, Paper Books for Merchants Accompts, or otherwiſe, of ſeveral ſorts and ſizes, Ruled or Plain. Muſick Paper and Muſick Books, folio, 4. or 8. Sealing Wax, hard or faſt, Sealing Wafers, large or ſmall, Vials, and Standiſhes for Ink, and the beſt Ink for Records.

Primers, Pſalters, Teſtaments, Engliſh, Greek, or Latin; Accidences, Grammars, *Lilly*'s Rules Conſtrued, *Alvary*'s Proſodia

&

& Syntaxes, and moſt ſort of School Books.

Pariſmus and *Pariſmenos*, in 2 parts.

Don Bellianis of *Greece*, in 3 parts.

Montelion Knight of the Oracle.

Seaven Wiſe Maſters, &c.

And moſt ſort of Hiſtories to be Sold as cheap as can be Imported.

The Statutes of *Ireland* compleat.

Sir *Richard Boltons* Juſtice of Peace; And moſt ſorts of Law Books.

Articles of Religion, and Cannons of the Church of *Ireland*.

Form of Conſecration of Churches.

Bibles, Common-Prayers of all ſorts and ſizes, with or without the Cutts, Books of Private Devotion, and of Divinity good choice.

The choice of the beſt Collection of Plays in this Kingdom, *viz.* Comedies, Tragedies, Tragy-Comedies, Paſtorals, Masks, & Opera's, &c. and a good choice of Hiſtories, Novels, and Romances to be Sold or Lent at reaſonable rates.

Books may be Bound, Guilt or Plain; And Mony for Old Books.

Books.

James A Rawleigh's

A COLLECTION

his OF Booke

Rules and Orders

(1703)

Appointed to be uſed in the High Court of *Chancery* of *Ireland*.

Rule 1. THat no *Subpœna* to anſwer be made returnable *immediate*, unleſs the party, againſt whom it is to iſſue, be at the time of the Service thereof in the City or Sub-

urbs of *Dublin*, or within ten miles distant from the same; and that no *Subpœna* to answer be made returnable in the Vacation time, but within fifteen days before or after Term, unless the Defendant be resident, as aforesaid.

Rule 2. That the Clerk of the *Hannaper* take care that all Writs, and what else shall pass the Seal, be fairly writ, and entred into a Book, to be kept in that Office for publique use; and in regard the issuing of all Writs, that are grounded upon *English* Bills, or Proceedings thereupon, properly belong to the *Six Clerks*, they are likewise to keep an exact Entry of all such Writs as they

they ſhall iſſue, to the end they may give the Court an account of the ſame, when they ſhall be thereunto required.

Rule 3. That every *Subpœna* be ſerv'd perſonally, or the ſame (or a Copy thereof, after ſhewing the ſaid Writ) left at the Defendants uſual place of Reſidence, with one of the Family, to be given to the Defendant; unleſs it be for Payment of Money, (in which caſe a perſonal Service is requiſite:) But where the Defendant is out of the Land, or cannot be found, and yet proſecutes a Suit at Law, or in this Court, for Relief againſt which Suit, the Bill is exhibited, upon Affidavit made that he is

out of the Land, or cannot be found, the Court doth uſually order the *Subpœna* to be left with his Attorney at Law, or in this Court, as the caſe requires, and that to be a good Service.

Rule 4. That upon taking out a *Subpœna* to anſwer, or at fartheſt by the Return thereof, the Bill is to be filed, and in caſe of a *Subpœna* returnable *immediate*, the Bill is to be filed before, or on the ſame day the Writ is ſerved, and that on penalty of good Coſts; and no *Subpœna ducens tecum* is to iſſue without Orders.

Rule 5. That no Attachment for not appearing on a *Subpœna* do iſſue, but on Affidavit firſt made & filed, of the time & place

of

of the ſervice of the ſaid *Subpœna*, and of the Return thereof; whereby it may appear, that ſuch Service was made two days at leaſt before the Return thereof. If the Service was in *Dublin*, or within twenty miles thereof, and that ſuch Service was made four days at leaſt (excluding the day of ſuch Service) before the Return thereof; If the Service was made above twenty miles diſtant from *Dublin*; and if the Defendant do not appear and anſwer within eight days after the Return of the *Subpœna*, then, and not before, the Attachment is to iſſue; and in caſe of a *Subpœna* returnable *immediate*, no Attachment for not appearing

and anſwering is to iſſue, unleſs upon the like Affidavit, and it appearing thereby, that the Writ was ſerved at leaſt ſix days before, (excluding the day of ſuch Service); and the Attachment in the caſes aforeſaid may be iſſued of courſe; but no Attachment is to iſſue againſt a Peer or Privy Counſellor of this Kingdom, before affidavit of the Service of the Letter miſſive be entred, wherby it may appear the Return thereof was out before the *Subpœna* was ſerved.

Rule 6. That in caſe of Attachment ſo iſſuing as aforeſaid, the ſame are not to be diſcharged, but on payment of ten ſhillings Coſts, if the *Subpœna* perſonally

nally ſerved, and five ſhillings Coſts, if otherwiſe; beſides the uſual Coſts of the Attachment.

Rule 7. Counſel are to be careful, that Bils, Anſwers, Exceptions, Interrogatories, and other Pleadings do not contain needleſs Repetition of Deeds, Writings or Records *in hæc verba*, but only the effect and ſubſtance thereof, and that which is pertinent and material to be ſet down; and that all Pleadings be ſigned by Counſel allowed to practiſe, with his own hand, being firſt peruſed by him in the Paper draught, before it be ingroſſed, and the ſaid Pleadings are to be fairly ingroſſed, without razures, blottings, in-

terlineations, and to be ſigned by the Six Clerk towards the Cauſe: And that no Counſel, or any of the Six Clerks do draw any Anſwer to a Bill, without having an atteſted Copy of the Bill before him, nor any Replication without having an atteſted Copy of the Anſwer, and ſo of other Pleadings; and in caſe any ſuch Pleading ſhall be tendred at the *Rolls* Office, where a Copy of the former Pleading has not been taken out as aforeſaid, the Clerk of the *Rolls* may refuſe the filing thereof.

Rule 8. That if any Pleading ſhall be found to contain any matter meerly ſcandalous, the Parties & Counſel on whoſe ſide,

ſide, and under whoſe hand it paſſeth, ſhall pay good Coſts to the party injured; and ſuch Counſel ſhall receive the Reproof of the Court, and the crime ſhall be adjudged more groſs, if it ſhall appear that ſuch Pleadings paſſed his hands without a deliberate peruſal.

Rule 9. That after the Defendant hath ſworn his Anſwer, it ſhall not be re-delivered unto him, but to his Attorney, who is to take care the ſame be forthwith entred at the Regiſters, and the Regiſter is likewiſe to take care that all Pleadings be ſent over to the *Rolls* Office the ſame day they are entred with him, or the next day after at fartheſt.

Rule 10. That in caſe a Plaintiff or Defendant die depending a Suit, *Subpœnaes* and Bills of Revival may be of courſe iſſued and exhibited, which being done, after Service and Return of the Proceſs, all the Proceedings in the former Suit ſhall ſtand revived, and the Parties may thereupon proceed accordingly.

Rule 11. That an Anſwer to the matter charged as the Defendants own Fact ought regularly to be poſitive, without ſaying it is to his remembrance, or as he believeth, if it be ſaid to be done within ſeven years before, unleſs the Court, upon Exception taken, ſhall find ſpecial cauſe to diſpence with ſo poſitive an

An-

Anſwer; and if the Defendant confeſs not the Fact, he muſt deny it poſitively and directly, and not by way of negative pregnant, and if a Fact be laid with circumſtances, the Defendant muſt not anſwer it literally only, as it is laid in the Bill, but muſt anſwer the Point in ſubſtance poſitively and certainly.

Rule 12. That if Exceptions be taken to an Anſwer, they are to be delivered the Defendants Attorney in Court, the ſame Term the Anſwer is filed, or within eight days after that Term; or if the Anſwer be filed in the Vacation, then within eight days after the firſt general

ral Seal, after the filing thereof; and if the Defendant, or his Attorney ſhall be ſatisfied of the validity of the Exception, then the Defendant ſhall put in a better Anſwer, and pay twenty ſhillings Coſts, either within four days after ſuch delivery of the Exceptions, in caſe the ſame be delivered within the Term, or by the next general Seal; If the ſaid Exceptions were delivered out of Term, and provided they were delivered four days before ſuch general Seal, then the Plaintiff may proceed if he ſee cauſe, no Reference being to be moved for within the time aforeſaid, touching the Inſufficiency of the Anſwer; But

if

the Defendant ſhall not ſatisfie the Plaintiff as aforeſaid, or that the Anſwer he ſuppoſeth to be perfect be conceived inſufficient, then the Plaintiff may procure the ſame to be referred; And in caſe the Anſwer be reported inſufficient, the Defendant is of courſe to pay Forty ſhillings Coſts to the Plaintiff; And if a ſecond Anſwer be returned inſufficient, then Three pounds Coſts; and upon the third Anſwer, Four pounds Coſts; and upon the fourth Anſwer, Five pounds Coſts; and then to be committed alſo till he be examined, and anſwer fully upon perſonal Interrogatories, touching the points de-

defective in the Anſwer, and pay the Coſts; and no new Exceptions are to be inſiſted upon, but ſuch as were put into the firſt Anſwer.

Rule 13. That if on Reference to a Maſter, of Exceptions to a ſhort Anſwer, the ſame be certified full and ſufficient, the Plaintiff is to pay the Defendant Forty ſhillings Coſts, (but if certified inſufficient, then within five days after filing ſuch Report, and no Exceptions put in thereto, the party in whoſe favour the ſame is, may take out a *Subpœna* for the Coſts, and in caſe the Anſwer be reported ſhort, then unleſs a better Anſwer be filed

in

in ſix days after the Report is confirmed, then the Plaintiff may take out the Proceſs of Contempt, to inforce the Defendant to put in a better Anſwer.

Rule 14. That if Exceptions be taken to a Maſters Report, in caſe of ſhort Anſwers, the ſame are to be filed with the Regiſter, within five days after the Report filed, and before they ſhall be received, the Exceptant is to pay to the adverſe party, or his Clerk Forty ſhillings Coſts; and alſo depoſite with the Regiſter Forty ſhillings more; and if the Exceptions be ruled againſt the Exceptant, then the Forty ſhillings

lings depoſited with the Regiſter, is to be paid to the adverſe party; otherwiſe the whole Four pounds ſo paid, and depoſited, to be reſtored to the party excepting; And where Exceptions are put unto a Maſters Report, the Exceptant ſhall pay Five ſhillings for every Exception over-ruled, over and above the Coſts depoſited, to deter Suitors from putting in frivolous Exceptions.

Rule 15. That if a Hearing be prayed upon Bill and Anſwer, the Anſwer muſt be admitted to be true in all points, and no other Evidence admitted, unleſs it be matter of Record,

cord, to which the Anſwer particularly refers, and is proveable by the Record; But in caſe the Court ſhall find no ground for giving a Decree thereon, the Bill is to be diſmiſſed, with ſuch Coſts as the Court ſhall ſee cauſe, or the Plaintiff (if he deſire it) may be admitted to reply, he firſt paying the Defendant, or his Clerk, Fifty ſhillings Coſts, which if he pay not within four days after the Hearing, then the Diſmiſs is to ſtand, and the Order is to be entred accordingly.

Rule 16. That if in any Cauſe the Plaintiff ſhall proceed to examine Witneſſes, and ſhall prove no more, than what

is confeſſed by the Anſwer, ſo that he might as well have gone to Hearing on Bill and Anſwer, in that caſe although he obtain a Decree, yet he ſhall pay the Defendant the Coſts expended after the Anſwer.

Rule 17. That if the Defendant live twenty miles from *Dublin*, or upwards, upon leaving notice with the Plaintiffs Attorney, the ſaid Defendant may have an Order of courſe for a Comiſſion to anſwer the firſt time, the ſaid Commiſſion to be made returnable in thirty days after the Return of the *Subpœna*, and directed to Commiſſioners nominated by the Attorneys, or in caſe the Plaintiffs

tiffs Attorney do not within two days after tender of the Names of the Defendants Commissioners joyn, then to such Commissioners, as the Master of the *Rolls*, or some other Master of the Court, as the Lord *Chancellor* in his absence does appoint, shall nominate; but no Answer is to be taken by Commission, when the Defendant stands in contempt to a Commission of Rebellion, unless the Court upon Affidavit shall dispence therewith; and no Answer or other Commission is to be received from the Commissioners, but what shall be first sworn before a Master.

Rule 18. That no Demurrer

to the whole Bill, nor any Plea to the Juriſdiction of the Court, or diſability of the perſon, ſhall be received by Commiſſion, nor any Plea or Demurrer at all admitted, where the Defendant ſtands in contempt to a Commiſſion of Rebellion, without the ſpecial Order of the Court; and all Pleas, except matter of Record, are to be ſworn.

Rule 19. That in every Plea, not containing only matter of Record, or referring only thereunto, there be an Averment, and as well Pleas as Demurrers, are to expreſs the ſeveral cauſes of ſuch Plea and Demurrer, and to demand the Judgment of the Court, and ſo to

be

be entred with the Regiſter, and filed, and within ſix days after notice is to be given the Plaintiffs Attorney, and the Defendant within that time is to procure the ſame to be ſet down, to be heard, or in default of ſuch entry, filing, notice, or procuring the ſame to be ſet down, as aforeſaid, the ſame is to be diſallowed by an Order of courſe, without motion; and the Plaintiff may then take out Proceſs to enforce the Defendant, to make anſwer over, and to pay Forty ſhillings Coſts; and in caſe ſuch Plea, or Demurrer, upon hearing be over-ruled, the Defendant is to pay Forty ſhillings

Costs; but if allowed, he is to have Forty shillings Costs, and more then one Plea, or Demurrer, is not to be put unto the same Bill.

Rule 29. That if all the causes of Demurrer expressed be disallowed, and yet the Demurrer shall be allowed, for some other cause, not expressed in the Demurrer, in that case the Defendant shall nevertheless pay Costs.

Rule 30. Replications are not to depart from the Bill, or contain new matter (except in avoydance of matter alledged in the Answer,) but only to affirm the Bill and traverse, or deny, confess, or avoyd the Defendants Answer.

Rule

Rule 22. That if a Defendant, being ſerved with a *Subpœna* to rejoyn, do neglect to file his Rejoynder, within fourteen days after the Return of the *Subpœna*, then upon affidavit of ſuch Service, the Regiſter is to give a Rule of courſe, requiring the Defendant to rejoyn, and joyn in Commiſſion in four days, or that the Plaintiff may take out a Commiſſion *ex parte*, directed to ſuch Commiſſioners, as ſhall be named by the Court, or the Maſter of the *Rolls*; and if after notice of the ſaid Rule given to the Defendant, or his Clerk, the Defendant do not within four days rejoyn, and tender Commiſſioners Names unto the plain-

Plaintiffs Clerk, the Defendant is to lose the benefit of his Rejoynder, and the Plaintiff may take out a Commission *ex parte* on the Order aforesaid, and the Defendant barr'd from having any Commission to examine his Witnesses, without special Order of Court,

Rule 23. That when any Plaintiff, after the Defendant hath fully answered his Bill, whether it be barely for Discovery, or otherwise, shall for two whole Terms forbear to file his Replication, he shall be dismissed with Costs upon motion; and if the Plaintiff, after the Defendant hath been at charge in taking out a Certificate

cate in order to a Diſmiſs (meerly to prevent the ſame) ſhall put in a Replication, then the Defendant may (if he will) thereto forthwith rejoyn *gratis*, and move the Court, to enforce the Plaintiff to go to a Commiſſion, or in default thereof, that the Defendant may have a Commiſſion *ex parte*, unto ſuch Commiſſioners, as the Court, or the Maſter of the *Rolls* ſhall appoint, or examine his Witneſſes in Court.

Rule 24. When Witneſſes are to be examined, the Counſel, who ſigns the Interrogatories is to take care, that they be only to points material, and not leading, and the Examinators

tors or Commiſſioners (whoſe duty it is) are themſelves to examine, and not truſt the ſame with inferior Clerks; and to take care to keep the Witneſſes to the point interrogated, not permitting them to run into extravagancies; and an Examinator of this Court is not to examine Witneſſes in his own cauſe, before himſelf, or his Deputy.

Rule 25. The Six Clerks are to take care, that they give the Clerk for the adverſe party, in Writing, the names and dwelling places of ſuch Witneſſes, and before which of the Examinators they intend to examine them, four days at the leaſt

leaſt before they proceed to their Examinations; to the end the adverſe party may exhibit croſs Interrogatories to the ſaid Witneſſes, if he think fit; but in caſe the party to be examined, be in danger of death, upon affidavit thereof, ſhorter notice may ſerve; and the Examinator is to take care, that he examine no Witneſſes, before he be well ſatisfied ſuch notice be given.

Rule 26. That neither Commiſſioners, nor Examinators of Court, do permit any Witneſs to read over the Interrogatories, nor to ſuffer any Witneſs to have the Interrogatories in his cuſtody, before he be examined,

ed, or to pen his own Depoſitions, or depart before he be fully examined; and the ſaid Commiſſioners and Examinators are to take care, that each Witneſs ſubſcribe his own Depoſitions, after which no alteration is to be made thereof; without Order of Court; the Commiſſioners are to take care, that neither they nor their Clerks make any diſcovery of any matter depoſed before them till publication be had in the Cauſe by Order of Court herein, and the Commiſſioners are to ſet down the Examination of every Witneſs at large, without referring the Teſtimony of one to another; and the Examinators

nators are likewiſe to be careful, that no impertinencies, or idle repetitions be ſet down; nor is any Anſwer to be ſet down otherwiſe to ſuch Interrogatories, to which the Deponent cannot at all depoſe, than this, (*viz.*) to ſuch an Interrory he cannot depoſe.

Rule 27. That the Examinators are to take care, that they imploy under them in their Office none but perſons of known integrity and ability, who ſhall take an Oath, not to deliver or make known directly or indirectly to the adverſe party, or any other, (ſave the Deponent who comes to be examined) any of the Interrogato-

gatories delivered to be examined upon any Examination by him taken, or remaining in the Examinators Office, or Breviate thereof, before publication be thereof paſt, and Copies thereof taken; and if any ſuch Deputy, Clerk, or perſon ſo imployed ſhall be found guilty in the premiſes, he ſhall be expulſed the Office, and the Examinator, who ſo imployed him, ſhall be alſo anſwerable to the Court for ſuch Miſdemeanour, and to the party grieved for his Coſts and Damages ſuſtained thereby; and ſuch Sollicitor, or other perſon, who ſhall be diſcovered to have had a hand therein, ſhall be liable to ſuch cenſure

Cenſure for the Offence, as the Court ſhall find juſt to inflict upon him.

Rule 28. That the *Counſel* and *Six Clerks* take care, that they exhibit not any Interrogatories to invalidate the credit of any Witneſs, except by Order of Court, which will very ſparingly be granted, and never, but where Exceptions unto ſuch Witneſſes are firſt put in Writing, and filed with the Examinator, and notice given thereof to the adverſe party, or his Attorney.

Rule 29. That no new Interrogatories be admitted to examine any Witneſſes, after the ſame Witneſſes have been once

once examined upon Interrogatories exhibited in Court, for the ſame party in the ſame Cauſe, neither are any Witneſſes at any time (without Order of Court) to be examined in a Cauſe after an Order for publication paſt, and a Copy ſent thereof to any of the Examinators, although the Witneſs be ſworn before ſuch Orders delivered, unleſs ſuch Witneſs be upon his Examination at the time when the ſaid Order is brought; and when any of the Examinators hath received an Order for publication in a cauſe, he is forthwith to give notice thereof to the other Examinator, to prevent the examining

of

of any more Witneſſes in the ſame Cauſe; (and no perſon is to be admitted to examine on a croſs Bill to any points in the original Bill, or any Witneſſes who might have been examined in the original cauſe, without leave of the Court.

Rule 30. That if a Witneſs ſummoned to be examined by the Examinator ſhall appear to be under age, or not capable to underſtand or anſwer queſtions, as a Witneſs ought to do, the Examinator is not to proceed without advice of the Maſter of the *Rolls*, or in his abſence of a Maſter of the Court; and if they ſhall judge him fit to be examined, yet if they pleaſe, they may

joyn the party to be preſent in Court upon the hearing.

Rule 31. That where the Plaintiff and Defendant joyn in Commiſſion for the Examination of Witneſſes, the Plaintiff is regularly to have the carriage thereof; but if through his own or his Commiſſioners default, the ſame be not executed, he ſhall pay the Defendant ſuch Coſts, as the Court (being ſatisfied of ſuch default) ſhall think fit, and then may renew his Commiſſion by Order of Court, at his own charge, and the Plaintiff to have the like Rule on the like Default of the Defendant, or his Commiſſioners, in caſe he have the

carriage thereof; and where a Defendant having joyned with the Plaintiff in taking out a Commiſſion, find cauſe to ſuſpect that the Plaintiff will not have the ſame executed, the Defendant upon affidavit made to that effect, may take out an Order of courſe, for a Duplicate thereof, returnable a week longer than the Plaintiffs Commiſſion, and if the Plaintiff after he has given notice of ſpeeding the Commiſſion, ſhall neglect to execute the ſame at the time and place appointed, the Defendant may the next day execute his Duplicate, at the ſame place, without further notice thereof to the Plaintiff;

and in caſe the Plaintiff ſhall delay giving notice of the executing of his Commiſſion in ſuch time as he can duely ſpeed the ſame before the return, then the Defendant may execute his Duplicate on giving fourteen days notice to the Plaintiff, or his Commiſſioners, of the time and place of executing the ſame; but where it ſhall appear by Affidavit, that any Witneſs is in danger of death, or leaving the Kingdom, the Regiſter may iſſue an Ordea of courſe for a Commiſſion for examining ſuch Witneſſes, upon ſuch competent notice as the caſe will permit.

Rule 32. That no Commiſſi-

on

on *ad examinandum Teſtes* be executed in *Dublin*, or within ten miles of it, without ſpecial Order firſt obtained upon Affidavit made of the parties inability to travel, or other good matter, and that all Depoſitions ſo taken are to be laid aſide, and the parties, who ſhall cauſe the ſame to be executed, ſhall ſuffer ſuch puniſhment, for their contempt & irregularity, as the Court ſhall think fit.

Rule 33. That where a Commiſſion hath been executed, the Examinator ſhall not be taken down to examine afreſh in the ſame County, without leave of the Court; and no perſon is to be admitted a Commiſſioner to exa-

examine Witneſſes in the ſame Cauſe where he is Counſel, Agent, or Sollicitor.

Rule 34. That when upon motion on the behalf of either party, Plaintiff or Defendants, the Court doth order that uſe may be made of any Depoſitions, formerly taken (in the ſame Court) in another Cauſe between the ſame parties, (or thoſe under whom they claim) touching the ſame matter in queſtion, it is thereby to be intended, that the other party have the ſame benefit of the Depoſitions, and both parties have liberty of their lawful Exceptions at the Hearing, to any of the ſaid Witneſſes ſo formerly examined.

Rule 35. That the Attorney for either party, Plaintiff or Defendant, may in the preſence of the Attorney for the adverſe party, with the Regiſter of the Court (without moving the Court) ſet down the firſt Rule for Publication within four days, which four days being paſt, and no cauſe ſhewed, the Court is to be moved again, and then the Court will give a peremptory Rule without further motion, unleſs good cauſe ſhall be ſhewed to the contrary, provided that the firſt Rule be given in Term time, or by the firſt Seal after Term.

Rule 36. That if both parties joyn in Commiſſion, and the

the one party examine all, and the other not, but prays a new Commiſſion to the ſame County, it ſhall not be granted, unleſs the other party be content, or upon Oath made of good cauſe why he could not examine all his witneſſes at the execution of the former Commiſſion.

Rule 37. That all Proceſs of contempt, Writs of *Scire facias*, or other Proceſs (by which the party is to be impriſoned, or Seizure of the Eſtate is to iſſue) are to be made into the County where the party is reſident, unleſs the party proſecuted be in and about *Dublin*, and then it may be made into that place alſo; but upon making it appear

pear that the party cannot be found, or is beyond Sea, the ſame may iſſue into any other County where the Eſtate lieth, and upon executing of Extents, notice is to be given to the perſons principally concerned, and in caſe they be out of the Kingdom, or not to be found, then to the Ter-Tenants; and where a Statute is of twenty years ſtanding, a *Scire facias* muſt iſſue before any Extent be granted, and no *Liberate* is to iſſue upon any Extent without Order of Court.

Rule 38. That Attachments granted of courſe, and other Proceſs of contempt (before a Serjeant at Arms) after due Obedience

bedience ſhall be diſcharged upon payment or tender unto the Clerk on the other ſide the charge of the Proceſs, and Ten ſhillings beſides. But if the contempt be for not paying Coſts awarded by the Court, he is beſides the Ten ſhillings to pay double the coſts of the Proceſs, before he be diſcharged.

Rule 39. That when the party ſhall be brought in by Proceſs, or appear *gratis* to be examined upon Contempts, he ſhall give notice of his Appearance to the adverſe Clerk, and if in four days after ſuch notice and appearance, Interrogatories ſhall not be exhibited to examin him upon, or if examined

mined, and no Reference be procured of his Examination, nor Commiſſion taken out, nor Witneſſes examined to prove the Contempt within four days after ſuch Examination, the party examined is upon motion to be diſcharged, if the Court ſee not good cauſe to detain him, and Coſts taxed, if the Court upon application ſhall ſo adjudge it, but if after appearance, and Interrogatories exhibited, he ſhall depart before he be examined, without leave of the Court, he is to be committed, and not to be diſcharged, till he be examined, and cleared of his contempt, and if found in contempt, to pay coſts, and

if

if cleared, ſhall have no coſts, for ſuch his contempt in departing after he had appeared, without leave as aforeſaid.

Rule 40. That on Proſecution of a Contempt for breach of an Order, or otherwiſe grounded on an Affidavit, the Interrogatories ſhall not extend to any matter not comprehended in the Order or Affidavit.

Rule 41. That where the party examined denies the Contempt, the Proſecutor may of courſe take out his Commiſſion to prove it, and in ſuch caſe the party proſecuted may name one Commiſſioner to be preſent at the Execution thereof, and croſs examine the Witneſſes, but not

not to examine any of his part without leave of the Court by ſpecial Order, and the Interrogatories on both ſides to be included in the Commiſſion.

Rule 42. That in caſe of a Contempt proſecuted againſt one, who by reaſon of Age, Sickneſs, or any other cauſe is diſabled to travel, or if againſt any that are Servants or Workmen, and live far off, the Court on motion and Affidavit thereof, will grant a Commiſſion to examine them in the Country, which is to be at the charge of the party deſiring it.

Rule 43. That on Examination of Contempts referred to a Maſter, the Maſter in his Report

port may assess, and certifie the Costs to either party, for whom he reports without Motion or Order for the same.

Rule 44. That when Oath shall be made of a Misdemeanour in beating or abusing the party upon Service of the Process or Order of Court; the party offending is upon motion to be commited till the Court shall order upon the nature of the Offence to discharge him, & when Affidavit shall be made by two persons of scandalous or contemptuous Words against the Court, or the Process thereof, the person offending shall likewise stand committed upon motion without farther Examination,

tion, and a ſingle Affidavit in ſuch caſe ſhall be ſufficient to ground an Attachment, whereupon ſuch perſon ſhall be brought in to be examined; and if the Miſdemeanour ſhall be confeſſed or proved againſt him, he ſhall ſtand committed untill he ſhall ſatisfie the Court touching his ſaid Miſdemeanour, and pay the Proſecutor his Coſts, and if he ſhall not thereof be found guilty, ſave by the Oath of the party, who made ſuch Affidavit, he ſhall be diſcharged, but without any Coſts, in reſpect of the Oath made againſt him as aforeſaid.

Rule 45. That no Proceſs of attachment, Proclamation, Commiſſion

miſſion of Rebellion, or Serjeant at Arms be made returnable out of Term, without ſpecial Order of Court (except within the time limited for return of *Subpœnaes*) and not to be made returnable *immediate*, unleſs to apprehend a perſon living within the County of the City of *Dublin*, or within ten miles of the ſame, and the Sheriffs in ſuch caſe not to be fined for not returning his Writ, till ſix days be paſt, after delivery thereof to his hands; and if the ſame iſſue to apprehend a perſon living at a further diſtance, the Sheriff is not to be fined, for not returning the ſame, till eight days after the Return thereof,

thereof,& no motion to be made in Court, for fining a Sheriff for not returning his Writs, till he hath, at leaſt, one day before been publickly called on for the ſame, in Term time, by the Cryer in Court; and no Attachment is to iſſue to the Purſevant on a ſpecial Contempt, without Order of Court; and that in ſuch caſes where Attachments do iſſue to the Purſevant returnable *immediate*, he is not to permit the party to go at large, without Order of Court, or conſent of the adverſe Clerk.

Rule 46. That no Injunction will be granted to ſtay Suits at Law, upon priority of Suits on-

ly, nor on the bare ſurmiſe of the Bill, but on the Defendants Delay, or Contempt, in not appearing, or anſwering, or not perfectly anſwering, and the ſame appearing to the Court, or in matter confeſſed in the Anſwer, matter of Record or Writing plainly appearing, or the Debt demanded appearing to be very ancient, or when the Bill is to be relieved againſt a Debt ſued for at Law, and it appear the Creditor and Debtor have been both dead for a conſiderable time before the Action brought.

Rule 47. That where a Bill is brought to be relieved againſt a Suit at Law, and the Plaintiff at

at Law is ready for Trial, before the Injunction be moved for, the Court in ſuch caſes will not grant an Injunction, but after Verdict, without ſpecial, unleſs in caſes of Ejectment, where it ſhall appear the Summons were ſerved, after the laſt day of the Term preceding any iſſuable Term; and in all ſuch caſes the Court will grant a poſitive Injunction, but where a Bill comes in after Verdict to be relieved againſt a Debt, due on a Specialty, no Injunction will be granted without depoſiting the principal Money, except there appears to the Court in the Defendants Anſwer, or by Deed

under Hand and Seal, or otherwiſe, good matter of Relief in Equity.

Rule 48. That where an Injunction is granted till Anſwer, or further Order, there are only two Rules to be given for diſſolving thereof, the firſt of courſe in the preſence of the adverſe Clerk, whereby the Plaintiff is to have four days, and the ſecond is to be moved by Counſel in open Court, upon which the Plaintiff is to have four days more peremptorily, and in caſe cauſe be not ſhewed to the contrary in the ſaid laſt four days, the Injunction is to be diſſolved, and the Defendants Clerk may of courſe

iſſue

iſſue a *Superſedeas* to the ſaid Injunction.

Rule 49. That Exceptions to the Defendants Anſwer, ſhall be taken for good cauſe for the continuance of an Injunction, but if the Defendant do ſuppoſe the Exceptions to be frivolous, and put in for delay, he may move the Court for a Reference thereon, and put a Rule on the Plaintiff to proſecute the ſaid Reference, and procure a Report within ſome ſhort day, as the Court ſhall appoint, and in default of the Plaintiffs Proſecution within the time limited by the Court, the Injunction is to be diſſolved, as in and by the laſt preceding Rule.

Rule 50. That Injunctions to quiet Poſſeſſions will not be granted before hearing the Cauſe, but upon Oath made by the party himſelf, if it may be, or ſome other creditable perſon of an actual poſſeſſion, at the time of the Bill exhibited, in the Plaintiff, or thoſe under whom he claims, and for the ſpace of three years before, and alſo upon ſatisfaction to the Court out of the Defendants Anſwer, or by other good matter, that the Title of the Plaintiff is not determined; but no Injunction without ſpecial Order, and expreſs words, ought to hinder any Extent, or Execution actually upon the Land, or

or to hinder the Defendants Proceedings at common Law, to evict the Plaintiff, nor from making any Leaſe, peaceable Entry, or ſingle Diſtreſs for that end.

Rule 51. That Injunctions againſt felling or barking Timber, plowing Meadows, or ancient Paſture-grounds, or for maintaining ancient Incloſures, the ſame being *pro bono publico*, are to be granted as uſually, but if the Defendant have anſwered, and claims an Eſtate of Inheritance to his own uſe, or under ſuch Title or Eſtate as is diſpuniſhable of Waſte, he is not to be reſtrained.

Rule 52. That in all caſes of Injunctions, the Order is to be taken

taken out before the Injunction iſſue, and if he that obtains the ſame delay proceedings, or bringing the Cauſe to a Hearing, the Court will take it for a good ground to diſſolve the Injunction, except where Injunctions are granted for quieting Poſſeſſion, and in that caſe the Plaintiff is not obliged to proceed, unleſs deſired by the Defendant.

Rule 53. That the Maſters of the Court are not to return ſpecial Certificates, unleſs the Court requires it, or their own Judgment in reſpect of difficulty lead them to it, unleſs the Order, and the matter lead them to it, and their Reports are to be as ſuccinct as may be, without

without needleſs recitals, unleſs in caſes doubtful they ſhortly repreſent the Reaſon inducing them thereunto, and if the Court requires to be ſatisfied touching matters confeſſed or denied in the Defendants Anſwer, or in any Examinations, Depoſitions, or other matters referred, the Maſters are to conſider the whole Anſwers, Examinations, Depoſitions, and matters referred, and to report the ſame to the Court, that they may be ſatisfied whether there be any thing that avoids a confeſſion, or ballances the ſame.

Rule 54. That if a Maſter report poſitively, his Certificate

is

is to ſtand, and Proceſs to iſſue to enforce perfomance thereof, if no Exceptions be taken thereto, within ſix days after filing thereof; provided the ſame be filed in Term; and where a Report is filed in the Vacation, then the ſame to be confirmed, in caſe there be no Exceptions taken thereto in five days after the next general Seal after the filing thereof, and upon the taking Exceptions, the uſual Coſts are to be depoſited, and ſuch proceedings to be made thereupon, as upon Exceptions to Reports concerning ſufficient and inſufficient Anſwers; and the Maſters are to certifie that both parties were heard, or

Affi-

Affidavit made that notice was given of the time and place of the Reference.

Rule 55. That upon filing of a Maſters Report, a Note is to be ſent to the adverſe Clerk of notice, that the ſaid Report is filed, and the Attorney is likewiſe to endorſe on the Report, that notice has been given, and the Regiſter is not to receive any Report but what is ſo endorſed, and the Maſters may proceed and report *ex parte* in all caſes, where the parties do not attend after ſecond Summons, and no Counſel is to ſign Exceptions to a Maſters Report, where he has not been concerned in the Cauſe; That where a *Pauper*'s Cauſe is re-

referred by conſent, he ſhall not be admitted to except to the Report, till he firſt give Security for the Payment of Coſts in caſe they be adjudged againſt him; That no longer time is to be allowed for taking Exceptions to a Report made by Referees, then is given for excepting to a Report made by the Maſters.

Rule 56. The Maſters are to be circumſpect and wary of giving of Oaths, that they be reverently and knowingly given and taken, and are therefore to adminiſter the ſame themſelves to the party, and where they diſcern him raſh or ignorant, to give him

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ſome conſcionable Admonition of his Oath, and be ſure he underſtandeth the matter contained in the Affidavit, and read the ſame over, or hear it read in his preſence, and ſubſcribe his Name or Mark thereunto, before the ſame be certified by the Maſter, who is not to receive or certifie any Affidavit, unleſs the ſame be fairly and legibly written, without blotting, or interlining any word of ſubſtance.

Rule 57. That every perſon deſiring to ſue *in forma Pauperis*, is to have the Certificate of ſome Counſel, that he hath probable cauſe of Suit, and is to make affidavit, that he is not worth

worth Five pounds, beſides the thing in queſtion, and he is only to have admittance in one Cauſe, without ſpecial Order.

Rule 58. He that defends *in forma Pauperis*, is to obſerve the ſaid Rules, only the Certificate of the Counſel diſpenſed with, upon the partys admittance, he is to enter it with the Regiſter.

Rule 59. If any perſon ſue *in forma Pauperis*, and it appear to the Court, that he is worth above Five pounds, beſides the matter in queſtion, or hath ſold or contracted for the benefit of the Suit, or any part therof, the Cauſe is to be diſmiſſed, and the party to be puniſhed.

Rule

Rule 60. No Proceſs of Contempt ſhall be made forth, and ſent to the great Seal, at the Suit of any perſon proſecuting as Plaintiff *in forma Pauperis*, until it be ſigned by his Clerk, and ſuch Clerk is to take care, that ſuch Proceſs be not taken out needleſly, or for Vexation, but upon juſt and good cauſe, as they will anſwer it to the Court, if the contrary ſhall appear.

Rule 61. Counſel and Attorneys are to make motions proper for themſelves, and after a Cauſe is ſettled (on hearing Counſel on both ſides) no new Motion is to be made to croſs it, except it be upon new matter

ter, and unleſs they be ſure the matter ſo alledged be weighty, and will be proved, and when any motion is made, the laſt Order is always to be produced, and any Order obtained, without producing the laſt Order, to be void, and the Coſts occaſioned by the neglect, to be paid to the party agrieved, and all Affidavits, Certificates, and Reports to be entred before any motion be made thereupon; and the Regiſters Notes ſhall not be moved upon, unleſs it be to have them rectified, and ſuch motions are to be made the firſt day for Motions after the Notes are taken; and the party in whoſe favour an Order

der is made, where Counſel on both ſides have been heard thereto, is to take the ſame out in four days, or the Regiſter may deliver it to the adverſe party, and not otherwiſe.

Rule 62. Where Decretal Orders are drawn up in Term time, the adverſe party is to have ten days time, after the delivery of the Draught to his Clerk, to except thereunto; and when the Draught of the Decretal is delivered in a Vacation, the party is to have five days time to except, after the firſt general Seal that happens after the delivery thereof; provided the ſame was delivered

five days before the ſaid general Seal; and after Exceptions have been once taken to an Order and argued, the Regiſter may enter up the Order, if within four days after ſhewing it to the adverſe Clerk, there be not an Order procured to the contrary; and that unneceſſary Charge to the Client may be avoided, before Exceptions are taken to any Order, the Clerks on both ſides are to meet with the Regiſter, to agree the Order if they can; and if frivolous Exceptions are put in meerly for delay, the Court will in ſuch caſes give very good Coſts; and after Decretal Orders are ſigned by the Re-

Regiſter, the Clerks muſt ſign them.

Rule 63. That no Counſel are to ſign Exceptions to a Decretal Order, that were not concerned at the Hearing; and if any do, it ſhall be good grounds to lay aſide the Exceptions.

Rule 64. That every Decree or Diſmiſs is to be drawn up, ſigned and enrolled before the beginning of the next *Michaelmas* or *Eaſter* Term, which ſhall firſt happen after the ſame is pronounced, and not afterwards, without Order of Court.

Rule 65. That at the end of the Term the Regiſter is to move the Court, to appoint

days for the publick Seals, as well after the Term, as at the be-beginning of the next Term, as alſo for a day to ſet down Cauſes to be heard the next Term, at which time the Six Clerks are to attend, and all Cauſes are to be ſet down regularly, according to the time of their publication; and the Six Clerks are to give a brief account of the nature of the Cauſe ſo ſet down, and the Regiſter is to take care that the Cauſes ſo ſet down be heard in the ſame Order; and the Six Clerks are to endeavour as much as may be, to bring on Cauſes to be heard the beginning of the Term, and no Cauſes are to be

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ſet down, for the two laſt days of a Term; and whereas formerly Cauſes have been put off, upon pretence of the Clients not being come to Town, that is not to be admitted as an Excuſe for the future, but the Cauſe is to be heard upon the day it is ſet down, and upon the Hearing, the party who ſets down the Cauſe is to produce the Order for the day, the want whereof will be taken for a good Objection, to put off the Hearing, and all Cauſes for the enſuing Term, are to be ſet down ſoon after the laſt Seal, after the precedent Term if poſſible.

Rule 66. That every Decree

pronounced by the Lord Chancellor, in any Cauſe or Order made upon Debate, or containing any Difficulty, be openly read in Court by the Regiſter immediately after the pronouncing thereof, for prevention of any miſtakes in the drawing up of the ſame.

Rule 67. That every *Subpœna* to hear Judgment be perſonally ſerved, or left at the partys uſual place of Reſidence ten days, at leaſt, before the Return thereof, except by the conſent of the Attorneys on both ſides, a ſhorter time be agreed upon, or ſpecial Order of Court, and where it ſhall appear by Affidavit that the party

party to be ſerved hath no certain Reſidence, or is beyond the Seas, then the *Subpœna* left with his Attorney in Court will be a good Service.

Rule 68. That no Cauſe be heard the ſame Term it is publiſhed, without ſpecial Order of Court.

Rule 69. That where no Clerk appears for the Defendant at the Hearing, and Proceſs hath been duly ſerved, the Defendants Anſwer is to be read, and if the Court, upon ſuch Hearing, ſhall find cauſe to decree for the Plaintiff, yet the Defendant ſhall have a day to ſhew cauſe againſt the ſame, but before he be admitted, he ſhall

ſhall pay down ſuch Coſts as the Court ſhall order; and the Order is to be penned by the Regiſter accordingly, (*viz.*) It is decreed ſo and ſo, unleſs the Defendant by ſuch a day pay the Plaintiff or his Attorney in Court Five pounds Coſts, and ſhew cauſe to the contrary, and bring a Certificate from the Plaintiffs Attorney, that he hath paid the Coſts at leaſt two days before the Hearing; and all conditional Decrees are to be made abſolute of courſe, unleſs the Defendant ſet down the ſame in the Paper of Cauſes for the enſuing Term, for a Hearing by the middle of the ſaid Term at fartheſt,

and

and in all caſes of Accounts upon conditional Decrees, the Regiſter is of courſe to draw up the Order for referring ſuch Accounts.

Rule 70. That where a perſon ſtands in contempt for not anſwering to a Sequeſtration, the Plaintiffs Clerk may ſet down the Cauſe to be heard, upon the Bill, which is to be taken *pro confeſſo*, and accordingly make up a Decree thereupon, which is not to be reverſed, but upon Bill of Review, or ſome other good cauſe ſhewed to the Court for the ſame.

Rule 71. That no Decree is to recite the Bill, Anſwer, Pleadings, or Depoſitions, *in*

hæc

hæc verba, but only the ſtate of the matter and Proceedings.

Rule 72. That no Decree paſs to be grounded on conſent of parties, but upon opening Bill, Anſwer, and the ſtate of the matter in open Court, and the Hands of Counſel on both ſides are alſo to be to the Draught of the Decree, and that is to be ſhewed to the Lord Chancellor, at the time he ſigns the ſame.

Rule 73. That where any Defendant hath once appeared, and after that ſhall ſuffer all the Proceſs of Contempt to iſſue in that Cauſe, and after a Sequeſtration, the Plaintiff may move

move the Court to have his Bill taken *pro confeſſo*, and the Term after the Bill hath been read in Court, the Plaintiff ſhall have an abſolute Decree, if no cauſe ſhewn, and after the Defendant ſhall be ſerved with the Foot of the Decree, and an Attachment have iſſued for the performance of the ſaid Decree, the Defendant ſhall not be admitted, either to a Bill of Review without performing what is required to be performed in that caſe by theſe Rules, nor bring a croſs Bill, without depoſiting the Money decreed in this honourable Court, and all the Coſts expended in that Cauſe (if the Decree be for Money) or

giving

giving good and ſufficient Security for the performance of the ſaid Decree, within two Terms after filing it, (if in the mean time the Court ſhall not order the contrary) and firſt paying the Plaintiff his full Coſts decreed and expended ſince the ſaid Decree.

Rule 74. That in all Cauſes wherein a Decree or Diſmiſs is pronounced upon full hearing, if no Coſts be aſcertained by the Court, or mentioned at the time of the pronouncing thereof, then the party for whom the Decree is given, may make up his Bill of Coſts to be taxed of courſe.

Rule 75. That no Bill of Re-

Review is to be admitted, except it be for Error in Law, apparent in the body of the Decree, without either Averment or further examination of matter of fact, or except it be upon new matter riſen in time ſince the Decree, whereof the party could not before have had advantage, which being made appear to the Court by Affidavit, a Bill of Review may be exhibited, and in caſe of miſcaſting any Sum, the ſame appearing demonſtratively to be a miſtake in the auditing or numbering, the ſame may be rectified by Order, without a Bill of Review, and in caſe of a Bill of Review, the party

party is to enter into Recognizance with Sureties with a fit Penalty, to anſwer all Coſts and Damages, if the Bill of Review be diſmiſſed, and perform the Decree made againſt him, except the performance of it extinguiſheth the partys Right at common Law, as in making Aſſurances or Releaſes, acknowledging ſatisfaction, cancelling of Bonds and Evidences, or the like, and in that caſe the Court will diſpenſe with the performance of that part of the Decree.

Rule 76. That no Cauſes diſmiſſed upon full hearing, be retained again, or any new Bill admitted, but upon new matter

ter appearing by Affidavit, as in a Bill of Review, but otherwiſe in caſe of other Diſmiſſes, which are not upon hearing the Cauſe. in Chancery

Rule 77. That where the Plaintiff diſcontinues his Proſecution, after all the Defendants that have ſerved, have anſwered, for the ſpace of two whole Terms, the Cauſe is to be diſmiſſed by Order of courſe, and Forty ſhillings Coſts for every Defendant that anſwered apart, which Coſts being paid, the Plaintiff hath liberty to reply, and proceed, or to file a new Bill, if he pleaſe, but if the Defendant expect more Coſts, he is to move the Court there-

in, but after Replication no Cauſe is to be diſmiſſed, without Order of Court.

Rule 78. That Officers, who are paid by the Sheet, be careful that their Copies do contain fifteen Lines in every Sheet, and ten Words in every Line, one with the other, and that none of the ſaid Officers or Clerks do exact greater Fees, than are antiently due and accuſtomed.

Rule 79. That no Petition be admitted to be read, without being firſt peruſed, and ſigned by one of the Six Clerks.

Rule 80. That all Fines that ſhall hereafter be impoſed by the Court, upon any perſon or perſons

perſons whatſoever, for any matter of contempt, are by the Regiſter of the Court, after every Term, to be fairly ingroſſed, and delivered to the Lord Chancellor, to the end they may be eſtreated, except ſuch as ſhall be before the end of the ſaid Term, taken off and diſcharged by the Court.

Rule 81. That where any perſon or perſons ſhall misbehave themſelves on References before the Maſters of this honourable Court, on Affidavit made thereof, and filed with the Regiſter, an Attachment is forthwith to iſſue againſt them, if the Maſter, before whom ſuch Reference is, ſhall under

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Rule 82. That where a Bill is filed for Recovery of a Debt formerly ſecur'd by Bond, which Bond the Plaintiff pretends to be loſt, in ſuch caſe the Plaintiff is to make Affidavit of the loſs thereof.

Rule 83. That where the Court, upon application, ſhall think fit to grant a Protection to any perſon, ſuch Protection is not to continue longer than one Term, without renewing the ſame, which is not to be done, but by Order of Court.

Rule 84. And laſtly. It is ordered, that all Maſters of the High Court of Chancery, Counſellors, and all Officers, Miniſters, Clerks and Sollicitors in the ſaid Court do diligently and carefully obſerve theſe Rules and Orders, which are to continue, until upon further conſideration and experience, any alteration ſhall be thought fit to be made therein.

Mich. Armach. C.

ERRATA.

Page 51. line 6. read *Reaſon.*

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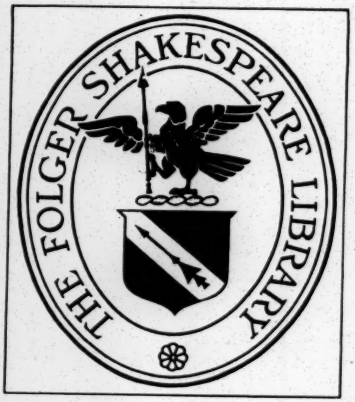
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